

FISCAL MEMORANDUM

SB 3791 – HB 3436

April 3, 2008

SUMMARY OF AMENDMENT (016377): Deletes the original bill in its entirety. Provides time frames within which workers' compensation benefit review conference requests must be filed. Requires any administrator's designee to be a licensed Tennessee attorney with a minimum of five years of experience with Tennessee Workers' Compensation Law. Authorizes parties to proceed directly to court in certain circumstances based upon rules promulgated by the Department of Labor and Workforce Development (LWFD). Requires physicians and chiropractors to determine impairment ratings and to report to LWFD within 10 calendar days from the date of maximum medical improvement. Requires such rating to be reflected in the employee's medical records and provided to the employer upon request. The provider would be authorized to charge a fee of \$150 for such report. Revises the requirements for the dismissal of a workers compensation claim when the employee fails to appear at the scheduled benefit review conference.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

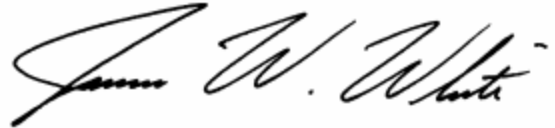
Increase State Expenditures - \$26,300/Risk Management Fund

Assumption applied to amendment:

- The state processes approximately 350 permanent disability claims per year. Approximately half of these claims (175) would be subject to the \$150 medical report fee authorized by the bill. This will result in an increase in state expenditures of approximately \$26,300 ($175 \times \$150 = \$26,250$).

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive, flowing style with a large initial "J" and "W".

James W. White, Executive Director

/cce